

FORM TO BE USED BY A PRISONER FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Darrell Lee Hicks DC #113048
Washington County Detention Center
500 Western Maryland Parkway,
Hagerstown, Md. 21740

(Full name, prison identification
number and address of the plaintiff)

v.

Civil Action No. ELH-12-1422
(Leave blank on initial filing to be filled in by Court.)

Robert Lester Grove
Samuel Lee Younker, Jr.
Daryl Robert Long
Address same as Plaintiff above
(Full name and address of the defendant(s))

COMPLAINT

I. Previous lawsuits

- A. Have you filed other cases in state or federal court dealing with the same facts as in this case or against the same defendants?

YES ☐

NO ☒

- B. If you answered YES, describe that case(s) in the spaces below.

1. Parties to the other case(s):

Plaintiff: N/A

Defendant(s): _____

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DISTRICT OF MARYLAND
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2. Court (if a federal court name the district; if a state court name the city or county): N/A
3. Case No.: _____
4. Date filed: _____
5. Name of judge that handled the case: _____
6. Disposition (won, dismissed, still pending, on appeal): _____

7. Date of disposition: _____

II. Administrative proceedings

- A. If you are a prisoner, did you file a grievance as required by the prison's administrative remedy procedures?

YES ☐ NO ☒

1. If you answered YES:

a. What was the result? Non-grievable

b. Did you appeal? Appealed Disciplinary Action
YES ☒ NO ☐ (Fox in charge of the Henhouse)

2. If you answered NO to either of the questions above, explain why: ↗

III. Statement of claim

(Briefly state the facts of your case. Include dates, times, and places. Describe what each defendant did or how he/she is involved. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

As a pre-trial detainee at the Washington County Detention Center at approximately 09:00 A.M. on April 8, 2012 while being escorted by DFC Robert L. Grove, DFC Samuel L. Younker, Jr. and close behind, Shift Commander Sgt. Daryl R. Long.

While moving down the hallway DFC R. Grove was pushing and manhandling me in a non-justifiable manner. (See page 2) Page 1 of 3

IV. Relief

(State briefly what you want the Court to do for you.)

Compensatory and Punitive/Exemplary damages Mental anguish and suffering
Emotional Distress - Personal humiliation - Attorney Fees

SIGNED THIS 22 day of, May, 2012.

Darrell L. Hicks

(original signature of plaintiff)

Washington County Detention Center
500 Western Maryland Parkway

Hagerstown, Md. 21740
(address of plaintiff)

Due to the fact I was restrained with handcuffs and ankle shackles I turned my head and requested that DFC R Grove refrain from his harmful tendencies.

All of a sudden DFC R. Grove snatched me up physically by the back collar and lower back portion of my jumpsuit and dragged me into the booking office.

There, he spun me around and slung me into the arm of a wooden chair injuring the lower part of my back.

I fell backwards with DFC R. Grove on top of me, while there he struck me with his fists 10 to 15 times.

DFC R. Grove must of had a ring on under his blue latex gloves, because he inflicted a deep cut on my forehead which has left a scar. My nose was broken and I suffered with numerous physical injuries (listed within the medical records as evidence) this attack of excessive force and cruel and unusual punishment was malicious and sadistic for the very purpose of causing harm.

While DFC R. Grove was beating me in the face, DFC S. Younker kicked me on the right side of my head and my right rib area several times. (These injuries are listed within the medical records also)

Unfortunately, this attack was so sudden and vicious that my eyeglasses flew off my eyes and my notebook flew out of my hands.

Plus, the attack was so brutal, the wrist and ankle restraints cut into my flesh. (Listed in medical records)

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Sadly, while the beating was occurring to a hand and leg restrain individual, DFC R. Grove and DFC S. Younker's supervisor Shift Commander Sgt. D. Long did not take reasonable steps to protect me from his subordinates which were inflicting excessive force. Therefore he can be held liable under section 1983 for his nonfeasance.

Two days after the beating my attorney's made a visit (Actually, on the day of the attack I requested for photographs to be taken... Sgt. Long stated "we don't have a camera".) Fortunately one of my counselor's was carrying a digital camera, and she was able to click-off a couple pictures for future material evidence.

It's funny, many times I requested that photographs be taken of all my physical injuries... but to no avail.

But, when my legal counselor's suddenly arrived and before my professional visit with them, there was a miracle.

Three guards entered my cell and one of them had a camera in order to take pictures, even though it was two days after the beating. Basically, I was still in bad shape.

My attorney's gained access to all my records by subpoena, but there was no photographs of my injuries within any of my files. Why? Conspiracy? Of course!

Also, to add insult to injury I've been placed in Disciplinary Segregation for 60 days, lost all my good time, programs and privileges. Oh, bag meals for 60 days (Bologna-Breakfast, Lunch, Dinner) Somebody needs to investigate this place!!

"Thank You" for all your effort and assistance.